

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action mailed June 11, 2009 has been received and its contents carefully reviewed.

Applicant thanks the Examiner for providing suggested guidelines illustrating a preferred layout for the specification of a utility application. Although an objection was not raised, Applicant voluntarily amends the specification in light of these guidelines. As noted above, amendments to the specification are made with respect to the published application, US PG PUB 2008/0243857 A1.

Claims 1-12 are hereby amended to place the claims in better form according to conventional U.S. practice. Claim 13 is newly added. No new matter was added. Accordingly, claims 1-13 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

Applicant states that none of the claim amendments made herein, as well as the addition of new claim 13, were made to overcome any rejection, or potential rejection, of the claims in view of the cited reference US 2002/152229 to Peng. As stated in the remarks that follow, Peng is patentably distinguishable from the claims as originally filed and as presently amended. All claim amendments made herein were made solely to correct informalities, to present the claims in a form consistent with US practice, and to generally present the claims in better form for prosecution.

The Office objects to claims 5-10 because of informalities. *Office Action* at p. 2. Claims 5-10 have been amended to eliminate all multiple dependencies. Accordingly, Applicant respectfully requests withdrawal of the objection to claims 5-10 and examination of these claims on the merits.

Claims 1-10 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. *Office Action* at p. 3. Applicant respectfully traverses the rejection. Nevertheless, claim 1 is amended herein to more clearly identify it as belonging to a statutory process under 35 U.S.C. § 101. Applicant believes that claim 1 satisfies all requirements for a statutory process in accordance with *In Re Bilski*, 88 USPQ2d 1385. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 101 rejection of independent claim 1. It

stands to reason that the rejection of claims 2-10, which depend from independent claim 1 should likewise be withdrawn.

Claim 11 is rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. *Office Action* at p. 3. Applicant respectfully traverses the rejection. Nevertheless, claim 11 is amended herein to more clearly identify it as being directed to statutory subject matter. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 101 rejection of claim 11.

Claim 12 is rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. *Office Action* at p. 3. Applicant respectfully traverses the rejection. Nevertheless, claim 12 is amended herein to more clearly identify it as being directed to statutory subject matter. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 101 rejection of claim 12.

The Office rejects claims 1-4, 11, and 12 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0152229 to Peng et al. (hereinafter “Peng”). *Office Action* at p. 4. Applicant respectfully traverses the rejection and requests reconsideration.

Peng fails to disclose, either expressly or inherently, at least: “transmitting, from the server, data relating to at least one object to be arranged in a multimedia page to be generated, with an instruction to store said data ... in a terminal memory” as recited in independent claim 1.

In other words, and by way of a non-limiting example, a server transmits data relating to a graphic object that appears in one or more graphic scenes. The scenes can be generated, for example, for display on a screen of a terminal. The server transmits, along with this data, an instruction to store the data in a memory of the terminal. Therefore, when the graphic object is to appear in a first graphic scene, the data for the graphic object is already stored in the memory of the terminal. If the same graphic object is scheduled to appear in a later graphic scene, the same data can again be retrieved from the terminal’s memory, and the same graphic object can be generated for display again, this time for use in the later graphic scene.

As recited in the first limitation of claim 1, the “instruction to store” is transmitted from the server, along with the data relating to the “object to be arranged in a multimedia page to be generated”, or as expressed in the example given above, the object to be displayed in the graphic

scene. Therefore, in the method according to the invention, the server decides, on its own, whether data related to a graphic object is to be stored (or not) in a memory of the terminal.

Peng fails to disclose such a feature. In particular, *Peng* states that if required data is not available in memory, the smart connectivity module 216 calls the download manager 228 to ask the server to download the necessary data. *Peng* at ¶ 0047. However, modules 216 and 228 are located in the terminal. *Id.* at ¶ 0041. Therefore, *Peng* only discloses that the terminal decides whether data should be stored in terminal memory. In stark contrast, in the present invention, the server decides whether data should be stored in terminal memory.

Accordingly, independent claim 1 is patentably distinguishable over *Peng*, at least because it recites: “transmitting, from the server, data relating to at least one object to be arranged in a multimedia page to be generated, with an instruction to store said data ... in a terminal memory.”

For the same or similar reasons, independent claim 11 is patentably distinguishable over *Peng*, at least because it recites: “an instruction to store, in a memory of a terminal, data relating to an object that is to be edited, on said terminal”

For the same or similar reasons, independent claim 12 is patentably distinguishable over *Peng*, at least because it recites: a “server configured to generate a signal comprising a computer code containing an instruction to store, in a memory of a terminal, data relating to an object that is to be edited, on said terminal”

Accordingly, Applicants respectfully submit that independent claims 1, 11, and 12 are patentably distinguishable over *Peng*. It stands to reason that claims 2-4, which depend from claim 1, are also patentably distinguishable for at least the same reasons. Thus, Applicant respectfully requests the Office to withdraw the 35 U.S.C. § 102(b) rejections of claims 1-4, 11, and 12.

Newly added claim 13.

For the same or similar reasons as discussed above with respect to independent claims 1, 11, and 12, newly added independent claim 13 is patentably distinguishable over *Peng*, at least because it recites: a “server comprising means for transmitting to at least one terminal a signal

comprising a computer code containing an instruction to store, in a memory of the terminal, data relating to an object that is to be edited, on said terminal”

CONCLUSION

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to Deposit Account No. 50-0911.

Dated: December 11, 2009

Respectfully submitted,

By /Michael I. Angert/
Michael I. Angert
Registration No.: 46,522
McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorney for Applicant